

The Status of the Help America Vote Act (HAVA) in Iowa

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Provided by Secretary of State Chester J. Culver

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Overview

Since the last update of the status of the federal Help America Vote Act (HAVA) legislation, lowa has had the opportunity to put many of the changes required by HAVA to work in the November 2004 General Election. The Secretary of State's office, in cooperation with many other state and county agencies, has moved forward with many crucial implementation activities that were part of the previously developed HAVA plan to ensure the best use of the nearly \$30 million of federal funds. With funding match issues now aside, implementation of the HAVA plan is proceeding into specific actions in four key areas:

- a statewide voter registration system
- a flexible and equitable allocation of funds for the future purchase of HAVA-compliant voting equipment
- consistent training on elections, and
- effective voter outreach efforts.

Transparency and equity are the guiding principles of the efforts of the last half of 2004 and of those in coming months.

It should be noted that the significant progress of HAVA activities in 2004 could not have happened without the hard work, determination, and commitment to the integrity of the voting process demonstrated by Iowa's County Auditors. Their cooperation, flexibility, input, and willingness to take on new work and responsibilities have been an incredible testament to the value of public service. The Secretary of State's office extends its appreciation to these individuals and their staff.

The lowa Secretary of State's office retained State Public Policy Group to assist in the HAVA planning and implementation process, for project management, and for special research. SPPG has been proud to serve as a bridge to engage all parties and interest groups from the beginning of this process.

Legislative Activity

With policy compliance and funding legislation passed by the Legislature and signed by the Governor in 2004, funds were drawn down from the federal level to the state. With no new activity from the Legislature since the previous HAVA update, the focus has been on updating Administrative Rules and ensuring local commitment to and compliance with the changes. The following timeline indicates the earlier context of Administrative Rules changes and resulting activities in the legislative arena.

- All states received initial start-up federal HAVA funds (lowa received \$5 million) that did not require a state match in spring of 2003.
- In 2003, a 5% state match was needed to access additional funds; the legislature did not allocate any funds to match the federal funds in 2003.
- Through a \$423,000 intergovernmental transfer, a match was provided, which positioned lowa to access \$8.4 million for HAVA 2003. An election law bill was not passed.
- The Governor requested \$750,000 in his budget for the third phase of HAVA funding, and after significant discussions and negotiations, an election law bill was passed that drew concerns from the Governor; but an appropriation of \$765,000 was budgeted as HAVA state match.
- A compromise was reached on the HAVA policy bill SF 2269, and the Governor signed the bill on Friday, April 16, 2004. Senate File 2269 puts the necessary language in the Iowa Code to conform to the federal Help America Vote Act. These changes include:
 - Requires the State Registrar of Voters to implement a centralized, computerized statewide voter registration system.
 - Requires the State Commissioner of Elections to adopt, by rule, administrative complaint procedures.
 - Establishes rules for voter registration by mail.
 - Amends Code Section 52.2 to allow two different kinds of voting equipment to be used concurrently in the same precinct.
 - For each voting system, the State Commissioner shall, by rule adopted pursuant to chapter 17A, develop uniform definitions of what constitutes a vote.
 - Changes the term "special ballot" to "provisional ballot" which is the term used in the Help America Vote Act for a ballot cast by a challenged voter.
 - Requires the State Commissioner of Elections to provide information to members of the Armed Forces of the United States on voter registration and absentee ballot procedures.
 - Extends the time period during which a Commissioner is to mail absentee ballots to a member of the Armed Forces after receiving the member's initial application

for an absentee ballot from one calendar year to the next two general elections after receipt of the application.

- On July 14, the Secretary of State's Office adopted changes to administrative rules for voter registration procedures that were required by SF2269, the HAVA implementation bill.
- Proposed changes to Iowa Administrative Rules regarding what constitutes a vote and absentee ballot courier rules were published for a public comment period ending August 10. Information about the public comment period was made available through the HAVA Weekly News and other usual venues for public comment on the rules change process.
- The Secretary of State's office adopted rules changes on August 27th, defining what constitutes a vote. Election staff in the Secretary of State's office developed detailed guides on "What Constitutes a Vote" for distribution to local election officials and their staff.

Financial Oversight

The HAVA Financial Oversight Committee grew out of a Budget and Finance Work Group initially formed during the development of the state HAVA Plan to help determine a plan/strategy for the purchase of voter equipment, a statewide voter registration system, and most effective use of HAVA funds for training and education. This Committee was expanded and continues to review financial reports relating to all HAVA expenditures.

- Mike King, Supervisor from Union County, continues to chair the Financial Oversight Committee. Others included on this committee are: State Treasurer Mike Fitzgerald, State Auditor Association Past President Pat Gill, former Banking Superintendent Holmes Foster, Polk County Auditor Michael Mauro, and Calhoun County Auditor and Iowa State Association of County Auditors President Judy Howrey.
- The Financial Oversight Committee meets prior to State Advisory Committee meetings to review expenditures and discuss other related issues. At this time, other attendees are allowed to ask questions and discuss any expenditure from the HAVA funds. The timing of these two committee meetings helps to ensure a transparent process; frequently, members of one group decide to stay or overlap to the other group in order to add value from the other group's perspective.
- As decision-making continues, there is a continuing effort to ensure the following premises for spending HAVA funding:
 - Ensure economies of scale in all purchases to use funds most effectively.
 - Use the HAVA Plan Budget as the guide to all expenditures.
 - Spend in excess of 80% of the funds to directly benefit lowa's voters and counties.
 - Limit funding for administration.
- The following funds have been received for implementation of HAVA in Iowa.

HAVA Revenue (Current and Estimated)

Received From	Funds	Clarification
HAVA Title I	\$5,000,000	Minimum amount of planning funds for every state
State Funds – 2003	\$423,000	Intergovernmental transfer for FY 2003 5% match
State Funds – 2004	\$765,000	State appropriation for FY 2004 5% state match
HAVA Title II – 2003 & 2004	\$23,739,383	Federal funds for two years
EAID Grants - 2005 & 2006	\$222,161	
GDDC – 2005	\$10,000	
Interest – 2003-2006	\$572,504	Projected
Revenue Total	\$31,307,665	

The following chart depicts anticipated spending relating to HAVA.

HAVA Projected Expenditures

Expenditure Category	Funds	Clarification
Voter Registration System	\$6,575,000	An RFP was issued for the provision of a statewide voter registration system using specifications compiled from county registration system surveys. Eleven letters of intent were received, yielding four bids. Using a detailed scoring process, a bid from Saber Consulting was accepted and a contract was signed in January 2005. The budgeted amount includes additional funds for the purchase of data center hardware and county equipment upgrades (computers and scanners) to ensure compatibility.
Voting Systems	\$16,600,000	Only equipment qualified by national standards and certified by the state of lowa will be eligible to receive HAVA reimbursement. To ensure an equitable distribution and encourage efficiency, funds for equipment purchases will be allocated to counties based on a formula combining number of registered voters and number of precincts. This amount includes the cost of the lever/paper counties' lease-purchased equipment.
Provisional Voting	\$5000	To keep current with provisional voting practices across the country and ensure HAVA-compliance, Secretary of State's staff has attended national meetings on this subject.
ADA Accessible Polling Places	\$241,224	The Secretary of State's office coordinated funding from a variety of sources to make Polling Place Accessibility grants to reimburse counties for the costs of making improvements to increase accessibility. Currently, 37 precincts in 16 counties have received the grants. The program will continue through 2005.
Training and Education	\$3,325,000	lowa provided one of the first consistent statewide poll worker training curricula for the November 2004 election. Additional funding was spent to support SEAT training, to produce a public voter guide and to target voters needing to show ID, those using new equipment, and those from traditionally low turnout groups.
Administration	\$855,000	Administrative funds will be used to ensure all HAVA requirements and other specific activities to improve lowa's election system are thoroughly and adequately completed.
Contingency	\$3,706,441	Dollars in the contingency fund will be used to pay for unforeseen expenses and to supplement the other categories, excluding administration.
Total	\$31,307,665	

See the financial report on the Secretary of State's website for detailed information on revenues and expenditures.

November 2004 Election Activities

Though many mandates of HAVA will not be required until 2006, lowa took a pro-active approach to meeting many of those requirements for the November 2004 general election. Recognizing its position as a swing state in a close presidential race, the Secretary of State's office ensured all possible measures were taken to strengthen lowa's already good voting systems.

- HAVA funds were used to assist lever machine (5) and paper ballot (1) counties to upgrade their voting equipment in time for the November election. Participating counties—Crawford, Delaware, Ida, Keokuk, Palo Alto, Van Buren—entered a lease agreement to procure precinct count optical scan equipment. Sioux County was also eligible, but chose not to participate. The Attorney General's Office and Department of Administrative Services worked with the Secretary of State, the county auditors, and Boards of Supervisors to implement the change in a timely manner. As a result of a competitive bidding process, a contract was signed with E S & S of Omaha for election equipment, election management software, and training. Counties entered into lease agreements with the vendor according to the bid terms. The six counties have been reimbursed for the complete costs of the lease for one year. Equipment was delivered to four counties in August, in time for training and public education prior to the September school elections. The remaining counties received their equipment and support in time for the November general election. The Secretary of State participated in unveiling ceremonies in each of the six counties, and staff from this office conducted a variety of public outreach efforts in those counties. Simple instructional postcards were sent to voters in these six counties informing them of the change of equipment.
- Voter education efforts were ongoing throughout the year, but were stepped up in the fall prior to the general election. Presentations on correcting common voting errors, HAVA impacts on voters, and other messages targeted to typically low-voting populations were delivered across the state by local election officials, the Secretary of State, and staff. For more information, see the Voter Outreach section of this report.
- During the September school board and November general elections, every county received and all polling places displayed required postings developed, printed, and distributed by the State Election Office for the June primary election. Template postings on equipment and polling times were provided so counties could add specific information as needed. Language used on the posters was reviewed for reader-friendliness and understandability, and auditors were able to request postings in alternate languages as needed.
- Voter instructions and absentee ballot request forms were made available in a Voter Guide mailed to every household in lowa and posted on the Secretary of State's website. In addition, voter registration and absentee ballot request forms were made available in Spanish, Laotian, and Vietnamese.

- As new technology emerges, the voting process will continue to change. Advances have been made in voting equipment, voter registration systems, and other fields relating to elections. One of these is the development of the electronic poll book (EPB). The EPB is a handheld electronic device on which voter registration information can be loaded. The device can be used prior to elections as a precinct finder, or on Election Day instead of or in addition to a traditional paper election register. By typing a voter's name, social security number, or voter ID number into the device, the person operating the machine could determine the voter's registration status and correct precinct. A paper receipt showing the correct precinct can be printed and given to the voter. Other information could be printed and kept at the polling place.
 - The Secretary of State's office commissioned a pilot project and evaluation of EPBs prior to the election and on Election Day. State Public Policy Group designed an evaluation form and coordinated training for temporary office workers to learn to use the machine. Workers were stationed in public places in Des Moines and Ames prior to the election to serve as precinct finders. These workers looked up voter information and provided receipts to voters as unofficial precinct confirmations. Voters were encouraged to call their County Auditors or the Secretary of State's office to confirm their voting sites. The workers made notations about how the machines worked throughout the process.
 - On Election Day, Secretary of State's office staff members, who had also been trained to use the technology, used the EPB as a parallel to office staff looking up voting precincts using traditional methods. EPB users also used the evaluation form to keep track of speed of use, error rates, and other use issues.
 - SPPG staff and temporary workers also "mirrored" the election register at selected polling places in Polk and Pottawattamie Counties. Sitting away from the election register, workers looked up names in the EPB as poll workers announced them. These workers also evaluated their machines. Poll workers at the test sites showed an interest in learning about the technology.
 - A full evaluation of the EPB and the company that provided them was completed and appears on the Secretary of State's website. Evaluation results show the electronic poll book technology is promising for providing future assistance to voters and poll workers.

Accessibility and Disability Issues

One of the key elements of the Help America Vote Act is its requirement to provide accessibility to voting equipment for all voters. This landmark priority will allow many persons with disabilities to vote a secret ballot for the first time in their lives. In addition to complying with those requirements, lowa is undertaking other activities to contribute to the full participation in elections by people with disabilities.

With continuing active participation by persons with disabilities and representatives of advocacy organizations for persons with disabilities, the various HAVA advisory committees continue to yield diverse viewpoints and to carefully examine how persons with disabilities will be affected by various policy choices and their practical outcomes. Specific efforts to ensure the greatest possible accessibility for persons with disabilities have been undertaken.

- The Secretary of State's office received a grant through the US Health and Human Services Department for addressing polling place accessibility issues. The Governor's Developmental Disabilities Council and Iowa Protection and Advocacy's Voter Access (PAVA) also offered grants that were collaboratively implemented with HAVA funding.
- Nearly \$57,000 in Polling Place Accessibility Grant funds were awarded to 37 precincts in 16 lowa counties. Counties receiving grants were required to complete the work prior to November 2, 2004. Counties were required to pay the initial costs of making polling places accessible, and then were reimbursed by the Secretary of State's office through a formal grant process.
- In a post-election survey of all 99 County Auditors, data were gathered on the updated number of inaccessible polling places, the number of complaints received by the county about inaccessible polling places, whether or not the county applied for accessibility grants, whether they were funded, for what reasons counties did not apply, and how the grant process might be more effective for counties in the future.
- HAVA requires each polling place to have at least one accessible voting machine by January 1, 2006. There has been considerable public debate over the security of Direct Recording Electronic (DRE) equipment, which is one of the primary options by which persons with disabilities can vote with privacy. The addition of a voter-verified paper audit trail to a DRE may violate the privacy of voters with vision impairment. A ballot marking machine is another option that could be used with optical scan voting equipment. The HAVA Equipment and Advisory Committees are moving toward equipment recommendations that will protect the privacy of persons with disabilities, the local decision-making power of each county, and the integrity of lowa's elections.
- A disabilities-accessible voting machine was demonstrated at the State Fair, allowing persons with disabilities and others to cast practice votes.
- The poll worker training materials that were developed were, among other things, aimed at ensuring fair treatment at the polls for people with disabilities and other limitations. An

Election Official and Poll Worker Training Group began meeting in July to advise those charged with the development of training materials and curricula. The Poll Worker Guidebook and Poll Worker Training Curriculum included specific information on polling place accessibility, curbside voting, and personal sensitivity to the needs and concerns of voters with disabilities. Among the more popular of the training materials was a video/DVD on various polling place scenarios that required poll workers and election officials to use what they had learned to respond to voters with disabilities. A member of the HAVA Advisory Committee who is sight-impaired played a role in one of the filmed scenarios.

 Required polling place posters with voting information were made available in Braille at every polling site. Counties could request the voter guide on audiotape if needed.

HAVA State Plan Development

Initial development of the Iowa HAVA State Plan began soon after the federal legislation was passed and information was available to the state. From the outset, plan development, like other HAVA work, was conducted in an open, public, and transparent environment. The transparency of the plan development and inclusion of feedback from citizens and local election officials continues to build in accountability, resulting in Iowa being on schedule and on-target with its implementation of the State Plan.

The Plan continues to serve as the guide for HAVA activities. The Training and Education section of the Plan is already in the process of being updated. That update is included on the Secretary of State's website. The Iowa HAVA State Plan will have a comprehensive review and update in spring of 2005. To ensure the Plan update accurately reflects the concerns and needs of voters and local election officials and their staff members, the Secretary of State's office is planning a series of local public outreach meetings, co-hosted by County Auditors, to gather feedback and suggestions from citizens of Iowa. This public input will be combined with additional input from the Advisory Committee to make appropriate changes and adjustments to the HAVA State Plan.

The Iowa HAVA State Plan can be found on the web at http://www.sos.state.ia.us/pdfs/elections/havastateplan.pdf.

HAVA State Plan Advisory Committee

Among the first provisions of the federal Help America Vote Act was the requirement that each state formulate and submit a formal, documented, strategic plan for implementing HAVA statewide. In 2003, the HAVA State Plan Advisory Committee was formed to develop and oversee implementation of Iowa's State HAVA Plan. By design, the committee was formed with a focus on balancing gender, geography, ethnicity, and political affiliation. It includes the president of the Iowa State Association of County Auditors (ISACA) and the immediate past president of the Iowa State Association of County Supervisors (ISACS), as well as representatives from the disability community. Significant efforts have been made over the last six months to ensure that members of the Advisory Committee are actively engaged in the process and represent diverse viewpoints.

Since its inception, the committee membership has evolved as some members were unable to continue their participation. In order to maintain balance on the Committee, key gaps are continually identified and filled so that a variety of viewpoints is heard and considered in HAVA planning and implementation efforts.

Though the Iowa HAVA State Plan was filed with the federal Election Assistance Commission (EAC) in July 2003, the HAVA Advisory Committee remains committed to overseeing the Plan's implementation, meeting quarterly for updates and progress reports. Meetings in the last half of 2004 occurred on September 16th and December 8th of 2004, as well as on January 26, 2005. The September meeting focused on issues related to the November election, and the December meeting moved the Committee forward by looking at voter registration and equipment issues and the allocation of equipment funding.

Iowa's State Plan Advisory Committee Members, as of January 2005:

- Jill Avery, Director, Iowa Department of Human Rights
- Elaine Baxter, former Secretary of State
- Kimberly Baxter, Iowa Commission on the Status of African-Americans
- Francis Boggus, Council Bluffs, Attorney
- John-Paul Chaisson-Cardenas, Administrator of Latino Affairs
- Cyndi Chen, Division of Vocational Rehabilitation
- Bob Cink, Kossuth County Supervisor
- Chet Culver, Iowa Secretary of State
- Peggy Elliott, City Council, Grinnell and National Federation of the Blind
- Michael L. Fitzgerald, Treasurer of State of Iowa
- Mary Gaskill, Iowa House of Representatives
- Pat Gill, Woodbury County Auditor and Past President of County Auditors, ISACA

- Michael Gronstal, Iowa State Senate Co-leader
- Mike Hoenig, Director, IDEAS Program Center for Disabilities and Development; University of Iowa, Iowa City
- Libby Jacobs, Iowa House of Representatives
- Vernon Johnson, PACE, Des Moines
- Adam Kaduce, State of Iowa Youth Action Committee
- Mike King, Union County Board of Supervisors and Past President of Supervisors Affiliate, ISAC
- Bruce Koeppel, Director, Iowa AARP
- Linda Langenberg, Linn County Auditor
- Joey Lewis, Student, Iowa School for the Deaf
- Jennifer Martindale, Pastor, Iowa Central Deaf Assembly of God, Clive
- Michael Mauro, Polk County Auditor
- Pat Murphy, Minority Leader, Iowa House of Representatives
- Jan McNelly, Past President, League of Women Voters of Iowa
- Lannie Miller, Supervisor, Palo Alto County
- Sylvia Piper, Iowa Protection and Advocacy Services
- Marjorie Pitts, Clay County Auditor
- Rik Shannon, Governor's Developmental Disabilities Council, Department of Human Services, Des Moines
- Mark Zieman, Iowa State Senate

All HAVA State Plan Advisory Committee meetings have been publicly announced and participation by all interested parties was encouraged. Specific invitations have also been published in the HAVA Weekly News. In addition to committee members, the following people are also notified of HAVA-related meetings.

Iowa Legislators:

- Stewart Iverson, Iowa State Senate Co-leader
- Wally Horn, Iowa State Senate
- Mary Lundby, Iowa State Senate
- Jack Kibbie, Iowa State Senate Co-President
- Jeff Lamberti, Iowa State Senate Co-President
- Christopher Rants, Speaker, Iowa House of Representatives
- Pat Murphy, Minority Leader, Iowa House of Representatives

- Chuck Gipp, Majority Leader, Iowa House of Representatives
- Jeff Elgin, Iowa House of Representatives
- Todd Taylor, Iowa House of Representatives
- Brian Quirk, Iowa House of Representatives

Technical Advisors:

- Andrew Nielsen, Deputy Auditor of State
- Dennis Cowen, Department of Administrative Services, Information Technology Enterprise
- Julie Pottorff, Deputy Attorney General
- Ken Paulsen, Senior Purchasing Agent, DAS,

Communication with Local Officials, Staff and Policy Makers

It continues to be the goal of the Secretary of State to provide information about HAVA implementation and progress to Iowa's voters and citizens.

HAVA Weekly News

As the process began to unfold and various aspects of the HAVA State Plan began to move forward, myriad questions were arising on a daily basis from interested individuals. The best way to continuously communicate and to continue the openness of the process was to develop a weekly newsletter with up-to-date information to be mailed electronically to anyone contacting the office and requesting to be put on the distribution list. On February 8, 2004, the first newsletter was sent, and it has continued to be distributed on a weekly basis since that time. The HAVA Weekly News is developed by the Secretary of State's office Communication Director.

The HAVA Weekly News initially was emailed to members of the State Plan Advisory Committee and all additional working groups. All County Auditors receive the HAVA Weekly News, along with Legislative Leadership and liaisons in state departments providing technical support. Since that time, other parties have requested to be included, including some equipment vendors. It is currently emailed to more than 250 individuals each week. Back and current issues are posted on the HAVA area of the Secretary of State's website.

The HAVA Weekly News has been an invaluable tool for communicating important information to local election officials and their staff about upcoming events and deadlines. Most notably, it was useful for providing updates on the progress of the lever county lease-purchase agreement and on disseminating applications and information about polling place accessibility grants.

Web Access

The Secretary of State posts on his website information regarding Iowa's implementation of HAVA. That website can be accessed at:

http://www.sos.state.ia.us/elections/HAVA/HAVAReports.html

According to a December survey of County Auditors, 70% reported having used the Secretary of State's office website ten or more times in the past year to access information, most often to access forms, election official training materials, important meeting training or conference dates, or to get contact information for Secretary of State's office staff. Auditors also rated the website in terms of current and complete information and ease of use and appropriateness of content for its intended audience.

Surveys

Surveys have been extremely useful tools in communicating information from local election officials to the Secretary of State's office. Though specific requests, feedback and questions are often directed from individual county election staff via email or telephone calls,

comprehensive surveys have been effective in gathering aggregate data on counties. County Auditors and their staff should be commended for having completed several important surveys in 2004. Reports or findings from these surveys appear on the Secretary of State's website.

- The Election Assistance Commission (EAC) Survey (to which the Secretary of State's Office added specific questions to gather detailed data on the absentee process and other issues)
- The Polling Place Accessibility Survey
- The 2004 HAVA Auditor Survey

Among other useful data gathered by the Auditor Survey, it provided constructive information from counties on HAVA implementation and how local election officials and staff could be better served by the Secretary of State's office. This survey was administered anonymously so that local election officials could speak freely and honestly.

Additional Outreach

lowa State Association of Counties (ISAC) holds Spring and Fall training conferences and the Secretary of State staff continues to make presentations at those conferences to provide updates on HAVA implementation progress. County Supervisors and County Auditors, both part of this statewide organization, have a vested interest in staying abreast of HAVA implementation as they will be required to make local purchasing decisions, invest in new voting equipment and implement training and education for election officials, poll workers and local voters. Every effort is made to ensure they are receiving the most current information available in a timely way.

Voter Registration System

HAVA requires a single, statewide voter registration system be in operation by January 1, 2006. lowa is making significant progress in this area.

- Secretary of State's office staff developed and distributed a County Assessment for Voter Registration to all counties. The Assessments were collected from auditors at ISACA district meetings, where staff conducted sessions to clarify issues relating to voter registration, as well as to inform local officials about administrative rules changes and accessibility issues.
- Working from a draft of voter registration system specifications initially begun in January 2004, staff developed a Request for Proposals (RFP), incorporating feedback gathered from the County Assessments and ISACA meetings, to solicit bids from vendors to provide software customized to Iowa's county election office needs. The RFP was also approved and revised with assistance from the Iowa Attorney General's Office and the Department of Administrative Services (DAS) to assure economies of scale, compliance with all relevant statutes and rules, and best practices in solicitation and review of proposals. The RFP was released on September 17th, 2004.
- After receiving eleven letters of intent and answering bidder questions, DAS closed the receipt of proposals on October 29, having received four proposals. An Evaluation Committee composed of Secretary of State staff, state agency technical experts, and county election officials convened under direction of the issuing officer of the DAS Purchasing Division for deliberative sessions on the technical proposal and cost proposal scoring. Vendor presentations were made to the Committee on November 29th and 30th. Final scoring of the presentations occurred on December 1st, resulting in the issue of a Notice of Intent to Award letter to Saber Consulting on December 2nd.
- The voter registration software contract with Saber Consulting was signed on January 18, 2005 for a bid of \$2,689,000 for the software development and data migration. Trained state staff will conduct local train-the-trainer sessions. Additional funds will be used to purchase hardware for the central data center and for auditor's offices, such as computers and scanners, and to provide future maintenance. The estimated total budget allocation for the voter registration component of HAVA compliance is \$6,575,000.
- Twelve counties have agreed to serve as pilot counties during initial stages of the system development.
- The statewide voter registration system will be functional by or before January 1, 2006.
- Materials pertaining to the voter registration system process appear on the Secretary of State's website.

Voting Equipment/Election Systems

HAVA legislation requires that all voting systems used in federal elections meet the following standards:

- Maintain voter privacy and ballot confidentiality.
- Permit voters to verify their selection on the ballot, notify them of overvotes, and permit them to change their votes and correct any errors before casting the ballot (exceptions).
- Produce a permanent paper record for the voting system that can be audited manually and is available as an official record for recounts.
- Provide to individuals with disabilities, including the blind and visually impaired, the same accessibility to voting as other voters.
- Provide alternative language accessibility as required by law.
- Comply with the error rate standards in the federal system standard in effect on the date of enactment (target error rate: a maximum of one error in 10 million ballot positions).
- Adopt uniform standards defining what constitutes a vote and what will be counted as a vote for each certified system.

Decisions regarding the purchase of voter equipment have hinged largely on the long-awaited recommendations of the Election Assistance Commission (EAC). It is the charge of the EAC to ultimately adopt guidelines for the certification of voting equipment that meets HAVA requirements and addresses issues of security and reliability. It is expected that EAC guidelines will be finalized in the summer or fall of 2005.

The HAVA Equipment Work Group, comprised of County Auditors and representatives of persons with disabilities, continues to provide input on requirements for new voting equipment in lowa as requested by the Advisory Committee. The state is working to ensure systems compatibility and take advantage of economies of scale by negotiating the best possible prices with vendors based on the purchasing power of all of lowa's counties. A Request for Proposals (RFP) for election systems has been drafted, but not finalized. The timing of its release will depend on when equipment is certified at the national and state levels as well as when security concerns have been addressed. It is likely that counties will also have the option to purchase equipment directly

lowa offered six lever counties and one paper county the opportunity to upgrade equipment for the 2004 General Election using HAVA funds. For more information on the lease-purchase agreement in which six of the counties upgraded to precinct count optical scan equipment, see the section of this report entitled, November 2004 Election Activities.

Equipment Controversy

There is ongoing controversy surrounding the use of DRE (direct register electronic) equipment in elections. The Secretary of State staff, Advisory Committee, and other HAVA work groups have consistently monitored these concerns. The Secretary of State's office provided a comprehensive and objective background report in January 2005 on the various types of voting equipment as a resource for the Equipment Work Group.

Members of the Work Group also serve on national groups aimed at making recommendations about voting equipment, such as NASED. Information from these groups is shared with the Work Group. Members also engage in considerable research on equipment issues on their own.

The HAVA Equipment Work Group has reached consensus on some key equipment recommendations at its January 14, 2005 meeting:

- All decisions on what specific equipment will be purchased should be made at the county level.
- In order for counties to qualify for reimbursement from HAVA funds, voting equipment must meet HAVA standards and be certified in lowa.
- The amount of reimbursement to a county should be determined by a formula not entirely dependent on either a county's number of precincts or number of registered voters.

Fourteen lowa counties currently use DRE equipment and are very confident about the integrity of their systems and the ease with which voters use the equipment. Moreover, the DRE may be the best equipment option to accommodate persons with disabilities. However, opponents of the DRE cite concerns about the equipment's ability to complete a recount. Some remedies for this concern may include a voter-verified paper audit trail (VVPAT), an internal (not voter-verified) paper trail, and a "black box" system that records every computer function of the DRE. Some critics remain unconvinced. The disabilities community is also tracking this issue closely as the requirement of a voter verified paper audit trail would mean that voters with visual disabilities would not be able to vote in the same manner as other voters, which is one of the core requirements of the HAVA legislation.

It is the recommendation (with noted disagreement) of the Equipment Work Group that decisions about the integrity and accessibility issues concerning DREs be made at the local level. The Equipment Work Group would not suggest that DREs, with or without a voter-verified paper audit trail, be disallowed as reimbursable with HAVA funds.

Funding Formula

At the December 2004 meeting of the HAVA Advisory Committee, there was much discussion about ways to ensure that the \$16,600,000 budgeted HAVA funding to purchase new equipment would be distributed amongst the 99 counties. Obvious distribution formulas considered include a per registered voter formula and a per precinct formula. However, it was made clear that the Advisory Committee did not want to disincent counties from being as efficient as possible by

eliminating or combining precincts. Also, the Committee wanted to ensure that counties that had been pro-active in making those changes previously would not lose funding. It became clear that a hybrid formula would be necessary to ensure an equitable allocation of funds.

An Executive Committee was formed of the HAVA Financial Oversight Committee in order to investigate possibilities for a blended (per voter and per precinct) funding formula. The Executive Committee worked out funding figures for each county based on a blended formula and compared those numbers to the funding each county would have received on a per registered voter and a per precinct basis. A chart demonstrating the funding each county would receive under each of the three funding formulas was distributed at the January 14, 2005 meeting of the Equipment Work Group and it was discussed in detail. While some counties felt the blended formula shorted their own equipment funding, the consensus was that the blended formula created an equitable distribution of funds. This recommendation was made to the HAVA Advisory Committee at its January meeting.

After the January 14, 2005 meeting, the Financial Oversight Committee met again and revised the formula to address concerns raised by various Auditors. This revised formula was presented to and approved by the HAVA Advisory Committee on January 26, 2005. The January 26th proposed formula has been sent to all County Auditors and appears on the Secretary of State's website.

Training and Education

Training and education for state and local election officials, poll workers and the general public is required in the HAVA federal legislation. Training and education efforts focus on election officials and poll workers as one group, and voters as a second group. The specific content and audiences of training and education efforts differ, but address issues of accessibility, voting etiquette, voter registration, and election systems and voting equipment. Two advisory groups have been formed to help create training and education for lowa and to improve voting participation and knowledge of the system across the state.

- One group, primarily made up of election officials, has assisted in developing training and education efforts for state and local election officials and poll workers.
- The second group made recommendations on statewide outreach efforts for all lowans in order to increase voting participation and voter understanding of election processes.
 This group also centered its attention on increasing voting participation among people with disabilities, young voters, and minority populations in the state.

Training for Election Officials and Poll Workers

The Training and Education Advisory Group identified the need for more extensive and consistent training, especially in light of HAVA-related accessibility issues, changes to Administrative Rules pertaining to election administration, and the use new voting equipment. It was determined that more in-depth, technical training could be offered to election officials through the State Election Administrators Training (SEAT). At the same time, some County Auditors reported a level of frustration with their current poll worker training practices, and the Advisory Group sought a solution to provide improved, uniform training for lowa's 10,000 poll workers. Up to this point, there has been no consistent training curriculum for poll workers in lowa, or in other states, to the knowledge of the Secretary of State's office.

- HAVA funds have been used to support SEAT for election officials in 89 counties; 127 election officials have completed the program. Election official training sessions were held with Auditors and staff at the Summer Conference in July. HAVA funds will also support SEAT in 2005. The program will see future expansion, as a poll worker certification program is in development.
- The Secretary of State's office looked at ways to respond to concerns voiced by some Auditors about the efficacy of their methods of training poll workers for elections. An executive committee of ISACA met with a SEAT training coordinator from Iowa State University Extension and a professor of education from the University of Iowa on August 24th. The purpose of the meeting was to discuss the challenges specific to training poll workers and how those challenges might be addressed using a participative adult education approach. Some of the challenges Auditors mentioned included the amount of material that must be covered in a very short time, the infrequency of elections and training sessions, the social characteristics of poll

- workers, and the conflicting pressures about when poll workers should and should not call the Auditor's office on Election Day.
- The Secretary of State's office retained the services of State Public Policy Group to develop a comprehensive poll worker training curriculum that combined the technical information poll workers would need to fulfill their jobs with teaching methods that would focus on retention and practical application of that information. SPPG integrated various sets of auditor materials, information on Administrative Rule changes, and added new lessons on cultural diversity, language sensitivity, and awareness of varied disabilities issues. It is important to note that lowa made a significant step forward nationally with the development of a customizable statewide poll worker training curriculum.
- The Poll Worker Training Curriculum and an accompanying Poll Worker Guidebook (to keep at each precinct) were developed to be user-friendly and to provide Auditors and their staff with a wide array of means to teach the subject matter. Emphasis was put on the ability to locally customize the materials, interactive learning, small group work, practice activities, role-playing, and discussion. Because many poll workers have been doing their jobs for several years, it was considered important to find ways they could lend their expertise in the training sessions. Often, with traditional lecture-style learning, participants who do not fully understand the material will merely "keep quiet" while the trainer assumes the material has been mastered. Another advantage to the interactive learning approach is that it allows poll workers to demonstrate in a low-pressure situation whether or not they know materials. To aid poll worker trainers, customizable Power Point presentations and handouts to accompany specific lessons were also provided on a CD.
- An interactive video/DVD was also developed, entitled, Polling Place Scenarios. This video featured nine scenarios designed to help poll workers use their own problem-solving skills to address different situations. These included: correct voting procedures, address changes within a county, ID required (first-time voter registered by mail), two provisional ballot situations, and four scenarios where voters need assistance. The voters in need of assistance scenarios were especially important because they brought to light specific situations where poll workers would be likely to interact with voters with disabilities and where voters have limited English skills.
- A Train-the-Trainer session was held in October 2004, along with SEAT training on Administrative Rules changes. Eighty percent of counties had an Auditor or staff member present. Materials were sent by mail to those who did not attend. Dr. Paul Retish, the education professor from the University of Iowa initially consulted, gave a brief overview of adult education methods. SPPG staff and Secretary of State's office co-facilitated sessions on how to use the curriculum and other materials. This session was held in conjunction with ISACA training on "What Constitutes a Vote" and other Administrative Rules changes.

Training and education efforts for election officials and poll workers are ongoing. As the equipment and voter registration pieces of the HAVA mandate move forward, more training will be necessary at the local levels. There has already been much discussion on leveraging vendor training. The use of the Train-the-Trainer model will help ensure that each county has adequate access to training.

General Voter Outreach

Along with the rest of the states, lowa enjoyed a huge surge in voter registration and participation in the November general election. In fact, lowa boasted one of the largest percentages of registered voters per eligible voters in the country.

HAVA legislation requires that effective January 1, 2004:

- Voting information must be publicly posted at each polling place on the day of the election for Federal office, including:
 - A sample version of the ballot,
 - o The date of the election and hours during which polling places will be open,
 - Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot,
 - Instructions for mail-in registrants and first-time voters,
 - General information on voting rights, including provisional balloting and how to contact the appropriate officials if these rights are alleged to have been violated,
 - General information regarding laws prohibiting acts of fraud and misrepresentation.
- The Secretary of State's office met these requirements with the development of the required postings for all polling places. Four laminated copies of the posting were provided for each precinct in the state. The lamination preserves the longevity of the posters and allows them to be customizable with the specific date and hours for each election.
 - Braille instructions were provided for every precinct. Audio recordings of the material could also be requested from the Secretary of State's office for those with literacy or other issues.
 - Every effort has been made to ensure that translations of these materials are available in alternate languages, and that voters know the information can be requested in still other languages, such as Bosnian. One county requested translations of the poster in both Russian and Spanish, and two other counties asked for Spanish. Special addendums were provided to be attached to the required postings, letting voters know they could request materials in Spanish or Russian.
 - Auditors could also request registration forms, ballots, and other materials in alternate languages as needed.

In years past, people often relied on their hometown newspaper to get the information they needed to be active participants in the electoral process. As lowa's population changes, it becomes evident that one medium can no longer be relied upon to inform and engage citizens. The Secretary of State's office has taken a broad approach to ensuring that people are aware of

changes to the voting process and that those who have not voted in the past have the information they need in order to participate.

- Not wanting to "reinvent the wheel," the Secretary of State's office conducted a survey of other states, asking about equipment purchases and methods used for voter outreach. All twenty states surveyed engaged in some form of direct mailing outreach, such as voter guides, registration forms, etc. Mass mailings to every household were the most common type of direct mailing, but eleven of the states surveyed also used targeted mailing toward underrepresented voter populations. Twelve also relied on public outreach meetings, local forums, and other workshop-type events.
- A strong World Wide Web presence was also seen as key to providing effective voter outreach. Forms such as voter registration forms and absentee ballot requests were easily downloadable from the Secretary of State's website, as well as general voter information and links to contact information for County Auditors. A HAVA section of the website contains issues of the HAVA Weekly News and information about the meetings of the various HAVA Committees. Given that the current Secretary of State's office website serves primarily to provide technical assistance to businesses and local election officials, steps were also taken in late 2004 to procure the web domain, www.iowavotes.us, for future development of a more voter-friendly website.
- The Secretary of State's Office utilized paid advertising during University of Iowa football games to remind voters to register or update their registration information and to inform them of where to find voter information.
- Like their counterparts in other states, the lowa Secretary of State's office developed a Voter Guide with instructions on voting, including such topics as registration, absentee voting, and provisional voting. The Voter Guide also included a voter registration form and an absentee ballot request form. This guide was mailed to every household in the state.
- New changes in the voter registration system in 2005 required that voters registered under certain circumstances would need to show identification at the polls. Recognizing that some voters, if initially unprepared, might not return to the polls, a postcard targeted to these individuals was sent out, informing these voters that they would be required to show identification.
- The Secretary of State's office hosted a booth at the Iowa State Fair, providing voter information, a handout on HAVA implications for citizens, a disabilities accessible voting machine, and the opportunity for fairgoers to cast a practice ballot in a mock election.

Lever County Outreach

County Auditors from the six lever/paper counties that moved forward with a lease-purchase agreement to upgrade their equipment were rightly concerned about how their voters would react to the new equipment. Those Auditors worked hand-in-hand with the Secretary of State's office to provide wide outreach in their counties to ensure that voters would be aware that there would be new equipment and would feel comfortable using it. Media events were arranged in counties as they publicly unveiled the new equipment. Staff also supported County Auditors in public demonstrations of the voting equipment, where citizens were encouraged to cast practice votes on the machines. Finally, a simple informational postcard was sent to every registered voter in these counties to inform them of the equipment change and to provide an overview of voting instructions.

Diversity Outreach

In an effort to understand the barriers faced by lowa voters in diverse communities and with diverse abilities, the Secretary of State's Office conducted an informal survey between September 2003 and February of 2004. A convenience sample of 207 individuals was drawn through the Department of Human Rights' Divisions on the Status of African-Americans, Latino Affairs, Persons with Disabilities, and Deaf Services. Through emails, personal interviews, and focus groups, these individuals shared their experiences with voting. Information from this survey will be used by the Voter Outreach Group to help improve and increase voter participation. Additionally, the experiences of these voters will be used to inform the update of the voter education portion of the HAVA State Plan. Please see the Voting Process Survey posted on the Secretary of State's website.

State and Local Involvement in HAVA Activity

The Secretary of State and staff have, from the outset, adopted an inclusive and transparent approach to all Help America Vote Act planning and implementation in the state.

- The active recruitment and retention of persons for HAVA activities who represent a number of important stakeholders groups and populations is evidence of the ongoing and concerted efforts to include a broad range of stakeholders and citizens. In the latter part of 2004, the HAVA Advisory Committee became much more representative of lowa voters. The inclusion of diverse viewpoints in planning and decision making is crucial if the HAVA legislation is to serve its original purpose of ensuring consistency and equitable access in the voting process. One important group that has come forward is legislators. As active members of the HAVA Advisory Committee, legislators are a crucial intermediary between local stakeholders, the Secretary of State's office, and the General Assembly.
- Balance has been sought in geography, gender, ethnicity and culture, political affiliation, as well as professional expertise and community leadership. One area where this has been especially important is in the HAVA Equipment Work Group. In addition to the formal committee members, County Auditors and officials or technical staff from counties of every size have worked together to forge solutions to problems of accessibility, equipment type, and funding allocation. This committed group of individuals has made significant strides in making recommendations to the Advisory Committee that allow for local flexibility, while attempting to ensure equal access for persons with disabilities and provide an equitable allocation of equipment funding to counties.
- A major highlight of 2004's HAVA activities was the collaboration between the six lever/paper counties and the Secretary of State's office on arranging a lease-purchase agreement for voting equipment upgrades. These six County Auditors and their Boards of Supervisors took to heart the spirit of the HAVA legislation. Recognizing that there might be many barriers, both internal and external to their counties, these individuals pushed ahead through a complicated process to ensure that their voters would have access to reliable voting equipment. The Secretary of State took a personal interest in assuring that these six counties had the full support of the state through the planning, bidding, and implementation process. Perhaps most significantly, the Auditors of these six counties welcomed the assistance of Secretary of State's office staff in introducing the new equipment to their voters, and implemented a team approach to conducting grassroots voter outreach.

Following is a partial list of organizations involved with HAVA through service on a committee, work group, or advisory body; or through cooperative activity implementation in various communities.

- Attorney General's Office
- DAS, Information Technology Enterprise

- DAS, General Services Enterprise
- Department of the Blind
- Department of Human Rights
- Department of Transportation
- Department of Human Services
- Department of Public Health
- Governor's Developmental Disabilities Council
- lowa Clerks of Court
- Iowa Protection and Advocacy
- State Treasurer
- State Auditor
- Iowa State Association of Counties Supervisor's Affiliate
- Iowa State Association of Counties Auditor's Affiliate
- League of Women Voters
- Community service clubs, e.g. Rotary, Kiwanis
- Political parties
- Universities
- Researchers
- Advocacy groups

Accountable Government

HAVA implementation in lowa is required. It is critical to providing consistent and fair elections for all lowans. There is an expectation that the activities and spending come under the same accountable government scrutiny as any other public spending in the state. In an effort to construct and put in place "accountable government" procedures expected by the Governor and the public, the Secretary of State's office will continue to work with the Department of Management and the Governor's staff to put in place the appropriate procedures. In an effort to identify activities and products over the last 7 months, please note the following:

<u>Activity</u>	<u>Outcome</u>
Ongoing development and guidance of	Following HAVA State Plan; recruitment and
Iowa HAVA Advisory Board	retention of low voting constituencies, interest
	groups, policy makers, and key stakeholders in a
	non-partisan process to implement the HAVA
	Plan; more effective engagement of legislators;
	provide guidance in implementation; and ensure
	budget oversight
Statewide Voter Registration System	Using information from local assessments,
	interviews, shared discussions, developed lowa's
	first statewide voter registration RFP; successful
	bid process; system to be in place by or before
	January 1, 2006
Voter Equipment Effort	Preliminary equipment recommendations made
	to Advisory Committee; awaiting EAC
	recommendations (timeframe unknown);
	preliminary proposed equipment funding formula
	recommended and under review
Lease Purchase Agreement Initiative for	Successful contract and precinct count optical
Lever and Paper Ballot Counties	scan equipment with ES&S public education
	effort
SEAT Training	Training of election officials in nearly every lowa
	county; funding of SEAT training in 2005
HAVA Public Education	Community-by-community efforts to inform
	lowans regarding HAVA legislation; weekly
	electronic newsletters; utilization of Secretary of
	State's office website; planning for voter-specific
	website
Required Posting in Precincts on Election	Developed and provided counties reader-friendly,
Day	and understandable posters containing
	notifications required by HAVA to be displayed in
	each polling place; provided in Braille; provided

	addendum for voters to request materials in other languages
Election Official and Poll Worker Training	Development of comprehensive poll worker training curriculum, guidebook, video and accompanying materials; ongoing update of materials via email or mail; train-the-trainer session
Voter Education and Awareness	Several points of access to voting information and forms; materials made available in alternate formats and other languages; mailed voter guide; targeted mailings to voters required to show ID at polls
Pilot Project and Evaluation of Electronic Poll Book (EPB)	Small-scale test and evaluation of equipment that has potential to aid poll workers and voters in future elections
Polling Place Accessibility Survey	Gathered information about the number of polling places in the state inaccessible to person with disabilities; types of inaccessibility; estimated costs of upgrades
Polling Place Accessibility Grants	\$57,000 in grants awarded to reimburse 16 counties for making 37 polling places accessible to persons with disabilities
2004 HAVA County Auditor Survey	80 of 99 counties completed an anonymous survey, providing information and feedback on a variety of topics, including service provided by Secretary of State's office and HAVA implementation

Looking Ahead

As Iowa moves forward with implementing the HAVA legislation, much is planned in the HAVA State Plan's primary activity areas.

Voting Equipment

As the deadline for HAVA implantation nears with still no word from the Election Assistance Commission, Iowa may be forced to move ahead with equipment purchases without EAC guidelines. Vendors who are also frustrated with the EAC's lack of progress are showing signs that they may be willing to enter into contracts that stipulate that the equipment will be made HAVA-compliant or replaced with compliant equipment if the EAC does not certify that type of equipment. Equipment must also meet the certification standards of the state of lowa, which are expected to be more stringent than the EAC's.

Voter Registration

The statewide voter registration under development from a newly awarded contract with Saber Consulting, Inc, promises to streamline the registration process and instill greater integrity to lowa's voter registration data. Every effort is being made to ensure that the system interfaces well between state and local election offices.

Training and Education

- Outreach targeted to specific communities will ensure that niche populations like college students and new citizens get the information they need to be informed participants in the voting process. Minority communities have taken the lead of many outreach efforts, and this trend is expected to continue. The Secretary of State's office and local County Auditors will focus on strengthening relationships with various constituencies in order to educate more populations about voting. As equipment is replaced, instructions specific to the equipment type will need to be well communicated to the public.
- Persons with disabilities will be an important target of voter outreach in the coming months. As more decisions are made about voting equipment, and as polling place accessibility is mandated, clear messages can be better developed and disseminated to persons with disabilities.
- Continual improvements will be made in the training of election officials and poll workers. The SEAT program will undergo an expansion, relying on outcomes-based training that is convenient for local officials to attend. A Poll Worker Certification program is currently under discussion; such a certification would help assure that elections are held consistently from county to county. Revisions and additions to the Poll Worker Training Curriculum and Guidebook will also help to ensure that poll workers learn the most accurate and up-to-date protocols for elections, that they practice problem-solving skills on their own, that they are clear about when to call their Auditors, and that they are better able to retain what they learn.

Summary

lowa is in a better position than most states to make the changes mandated by the Help America Vote Act a reality. Having made significant investments of time and effort at the state, local, and individual levels, stakeholders in the election process have put in place a strong foundation from which decisions will be made to spend \$30 million to make lowa's good election administration even better. With funding comes a variety of challenges. Systematic and transparent decision-making continues to be a guiding principle and practice of this effort.

The strength of the HAVA Advisory Committee, Training and Education Committee, Equipment Work Group, and other working groups who have worked on this process, has been their ability to move forward in the face of uncertainty. These groups have solidified their commitment to this process, despite a lack of activity and guidelines from the EAC, continuing controversy with DREs, and other unknowns.

It is critical that these funds be viewed as lowa funds, with the focus on all the voters in lowa. In an effort to ensure that 80% or more of these funds go to counties to improve the election system for all, it will be necessary to provide adequate technical assistance and support to the counties, as well as appropriate checks and balances regarding the funding.

This report provides a history of HAVA activities over the last seven months. There has been significant time invested and many individuals throughout the state have been involved in this effort. There has been a clear effort to make it non-partisan and an open, inclusive process.

Other Documents Available

(Check the Secretary of State's Website)

- Financial Statements
- HAVA Voter Registration System Notice of Intent to Award
- HAVA Voter Registration System Evaluation Process and Tabulated Scoring
- Survey of Other States: Equipment Purchases and Voter Outreach
- Draft Update of HAVA State Plan: Training and Education Section
- Polling Place Accessibility Survey
- Election Assistance Commission Survey
- 2004 HAVA Auditor Survey Report
- 2004 HAVA Auditor Survey Frequency Report
- Electronic Poll Book Pilot Project Evaluation
- Sample Issues of the HAVA Weekly News
- State Fair Publication: What HAVA Means for Voters
- General Information Sheet on HAVA
- Voting Technology in Counties
- Who's Who on Iowa HAVA Committees
- Proposed Voting Equipment Funding Formula Table
- National Association of Secretaries of State Survey Summary
- List of HAVA Committee Meetings
- New Voter Equipment Mailing
- Voter Identification Required Meeting
- HAVA Funding for Counties
- Research Summary on Election Equipment
- Voting Systems in Iowa, Nov. 2004
- Type of Voting Equipment by Counties
- Election Reform and Electronic Voting Systems
- Polling Place Accessibility Grant Program Update 12/18/2004